

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ADAM MICHAEL TOMAINE,	:	
Petitioner	:	
	:	
v.	:	No. 1:20-cv-1742
	:	
COMMONWEALTH OF	:	(Judge Rambo)
PENNSYLVANIA,	:	
Respondent	:	

ORDER

AND NOW, on this 28th day of October 2020, for the reasons set forth in the Memorandum accompanying this Order, **IT IS ORDERED THAT:**

1. Petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 (Doc. No. 1) is **DISMISSED WITHOUT PREJUDICE** for failure to exhaust state court remedies;
2. A certificate of appealability **SHALL NOT ISSUE**; and
3. The Clerk of Court is directed to **CLOSE** the above-captioned case.

s/ Sylvia H. Rambo
United States District Judge